

**REMARKS**

Applicant, by the amendments presented above, has made a concerted effort to present claims which clearly define over the prior art of record, and thus to place this case in condition for allowance.

***Specification***

In the Office Action, the Examiner objected to the disclosure because of formalities. In response, the specification has been amended as suggested by the Examiner.

***Claim Rejections***

In the Office Action, the Examiner rejected claims 27, 29, 30, 33, 49, and 50 under 35 U.S.C. § 102(b) citing German references DE 41 09 407 and DE 750 525 and rejected claims 34 and 35 under 35 U.S.C. § 103(a) as being unpatentable over DE 750 525 in view of DE 41 09 407. Applicant respectfully traverses.

DE 41 09 407 is not concerned with a riveting unit, but with a forge, specifically a precision forge machine. The machine has a piston (2) and a press plunger (27) (see Figure 1). Also, the machine has a die consisting of parts 26a and 26b. Within the die is the part to be forged, not shown in the drawings. The lower die (26b) has an opening for receiving the plunger (3) which goes into the die to perform the transformation of the work piece, by building up a reaction force within the lower plunger. This reaction force is created hydraulically. Most of the force, due to the effective area, goes into part 2 and a minor part of the force goes into part 4.

Therefore, if one would compare the present invention with the device of DE 41 09 407, one would possibly compare part 4 with a riveting die. However, the riveting die of

Serial No. 10/069,838  
Art Unit: 3726  
Page 10

DE 41 09 407 is subjected to a lower force than the holding down means of the present invention.

DE 750 525 refers to a riveting device. But, this known device also works differently from what is claimed in present claim 27.

Concerning the device of DE 730 549, there is a riveting die with the reference f. It is unclear whether this riveting die is driven hydraulically. The reference says that the necessary force is provided for by a hand tool or a machine tool being built as a usual pressure-, impact- or stamp-tool (see page 1, lines 53-56). Moreover, there is no holding-down means, which could be subjected to the same force, not even the same hydraulic force. More specifically, one can not distinguish any pistons with different effective piston areas. There are only different pistons on the other side of the tool, which is, in terms of the present invention, the rivet anvil. According to the disclosure of the present application, the rivet anvil is a fixed part. The rivet anvil is not a movable part, and is not a combination of two moveable parts.

In view of the above amendments and remarks, Applicant respectfully submits that the claims of the present invention are allowable over the prior art of record, and respectfully requests that the application be passed to issuance.

Should the present claims not be deemed adequate to effectively define the patentable subject matter, the Examiner is respectfully urged to call the undersigned attorney of record to discuss the claims in an effort to reach an agreement toward allowance of the present application.

Serial No. 10/069,838  
Art Unit: 3726  
Page 11


FROM TREXLER ETAL.

(TUE) 4. 6' 04 13:19/ST. 13:08/NO. 4860347975 P 15

Respectfully submitted,

Dated: April 6, 2004

By:

  
Richard A. Giangiori, Reg. No. 24,284  
James R. Foley, Reg. No. 39,979  
Attorneys for Applicant  
TREXLER, BUSHNELL, GIANGIORGI,  
BLACKSTONE & MARR, LTD.  
105 W. Adams Street, 36th Floor  
Chicago, Illinois 60603  
(312) 704-1890

643047

Serial No. 10/069,838  
Art Unit: 3726  
Page 12